

RID (Rule Interpretation Decision)
(Use additional sheets as necessary)

Type of RID Customer RID <input checked="" type="checkbox"/> Internal Staff RID <input type="checkbox"/>	Requested Response Time 24 hours <input type="checkbox"/> 5 working days <input checked="" type="checkbox"/> As time available <input type="checkbox"/>	DSD Assigned RID # 007
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1. Project Name: na

2. Project Number: na
(Plat #, Zoning Case #, etc.)

3. Project Street Address: na

(If not available nearest intersection of two public streets)

4. Applicant Name: Recycle American Alliance

5. Applicant Address: na

6. Applicant Telephone #: (972) 401-0723

7. Applicant e-mail Address: rabramowitz@recycleamerica.co

8. Rule in Question:
(Section and/or policy of UDC, Building Code, Master Plan, etc)

Applicant is inquiring as to which zoning district a recycling facility can be located. At the present time the table of permitted uses does not include the category of "recycler" or "recycling".

9. Applicant's Position:
(Including date position presented and name of city staff point of contact)

Date: 4/07/2004 **Contact:** Mr. R. Abramowitz

Contact Telephone #: (214) 616-2371

The specific use for which the applicant is seeking information is a recycling facility that processes residential and commercial generated recyclable newspaper, office paper, old corrugated containers, junk mail, aluminum cans, tin/steel cans, plastic soda/water/shampoo/detergent bottles, and glass bottles and jars. Processing onsite will consist of automated and manual sorting of material using screening technology and conveyor belts. Sorted material will be baled and stored for delivery to end-use mills.

It is anticipated that as many as 50 tractor-trailer units will be entering and leaving the facility in a given day. In addition, it is possible an onsite paper shredder (25 to 50 hp) would be utilized to shred confidential documents for customers. All sorting, baling, shredding will take place inside a building. It is estimated that less than 10% of the incoming loads will be residue.

10. Staff Finding:

(Including date of finding and name of city staff person formulating finding)

Date: 4/8/2004 **Contact:** John Jacks

Contact Telephone #: (210) 207-7206

Staff finds that the proposed use is not contained within the UDC Table of Permitted Uses and therein requires an interpretation of appropriateness of use by the Director of Development Services.

11. Staff Position:

(Including date position presented internally and name of city staff person formulating position)

Date: 4/8/2004 **Contact:** John Jacks

Contact Telephone #: (210) 207-7206

Following research of comparable uses with APA LBCS uses it appears that the appropriate zoning district would be "I-1S" (light industrial with a specific use permit) or "I-2" as a permitted right. When permitted in the "I-1S" district there shall be no processing other than sorting, shredding and baling which must be performed within an enclosed structure. Any process which results in the emission of fumes or smoke detectable beyond the facility's property lines shall require an I-2. Due to the character of the use it shall not be allowed within the "ERZD" overlay zoning district.

12. Departmental Policy or Action:

(Including date of presentation of policy or action to the applicant, the effective date of the policy or action, schedule for pursuing an amendment to the code if required and signature of the Director of Development Services)

Date of policy/action: 4/9/2004

Effective Date of policy/action: 4/9/2004

The Director of Development Services agrees with the findings of the staff and hereby finds that recycling facilities without outside storage and/or processing may be located in "I-1" light industrial use with a Specific Use Permit and by permitted right in "I-2" heavy industrial districts. Recycling facilities utilizing outside storage and/or processing may be located in "I-2" heavy industrial districts with a Specific Use Permit. In no case shall a recycling use with or without outside storage and processing be aloud within the "ERZD" overlay district.

Staff is further instructed to incorporate the new use into an amendment to the UDC to be presented to the City Council in the annual UDC update program.

A handwritten signature in black ink, appearing to read 'Florencio Peña III', written over a horizontal line.

Florencio Peña III, Director
Development Services Department